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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,291

10/16/2003

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ROC920030263US1

8981

7590 05/30/2008
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EXAMINER

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ART UNIT

PAPER NUMBER

2173

MAIL DATE

DELIVERY MODE

05/30/2008

PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/687,291
Filing Date: Oct 16, 2003
Appellant(s): Branson et al.

Owen J. Gamon
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed Mar 13, 2008 appealing from the
Office action mailed Apr 29, 2007

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Gegner et al. ("Gegner", WO 2003/104966 A3).

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-6 and 8-20 are rejected under 35 U.S.C. 102(e) as being unpatentable by Gegner et al. (“Gegner”, WO 2003/104966 A3).

As to **INDEPENDENT** claim 1, Gegner discloses selecting a subset of a first plurality of data objects based on a respective importance of each of the first plurality of respective data objects (pg3, line 12-21), wherein the first plurality of data objects are displayed in a main view; and copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left. pg8, line 11-13; displaying of the objects on a different display screen); and replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects (pg.8, lines 7-13).

As to **INDEPENDENT** claim 6, Gegner discloses means for receiving a first plurality of data objects and a plurality of respective importance tags (pg3, line 12-21); and means for selecting a subset of the first plurality of data objects based on the importance tags (pg3, line 27-28; less important data objects are not selected) and based on a peek view associated with a pull command (fig 5; pg8, line 11-13; a subset of the objects are selected to display on a different screen); means for copying the subset from a main view to the peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with

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the subset are on the left. pg8, line 11-13; displaying of the objects on a different display screen); and means for replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects (pg.8, lines 7-13).

As to **INDEPENDENT** claim 11, Gegner discloses selecting a subset of a first plurality of data objects in response to a pull command from a peek view (pg8, line 11-13; a subset of the objects are selected to display on a different screen) wherein the first plurality of data objects are displayed in a main view; and copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left); replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects (pg.8, lines 7-11).

As to **INDEPENDENT** claim 16, Gegner discloses selecting a subset of a first plurality of data objects in response to a pull command from a peek view (pg8, line 11-13; a subset of the objects are selected to display on a different screen), wherein the first plurality of data objects are displayed in a main view, copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left), replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of

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objects (pg.8, lines 7-11)receiving an update to the first plurality of data objects, and modifying the subset in the peek view based on the update (pg4, line 15-21; pg8, line 11-14 as a different peek view are selected for displaying in an enlarged form, the main view updates to reflect the changes).

As to claim 2, Gegner discloses the selecting is in response to a pull command at the peek view (fig 5; pg8, line 11-13; a subset of the objects are copied to display on a different screen).

As to claims 3 and 8, Gegner discloses selecting the subset based on a size of the peek view (fig 3; pg3, line 27-29; objects are added/eliminated based on the size of the peek window).

As to claim 4, Gegner discloses receiving an update to the plurality of data objects; and modifying the subset in the peek view based on the update(pg 3, line 7-11; the displayed data objects reflects the updates on the display screen in the field of patient monitoring).

As to claim 5, Gegner discloses re-selecting the subset based on a change to the importance, wherein the receiving further receives the change to the importance (pg3, line 18-21).

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As to claims 9 and 19, Gegner discloses means for copying the subset from the peek view to the main view in response to a push command associated with the peek view(pg4, line 15-17; pg8, line 11-13; objects from the peek view are imported to a different screen to display an enlarged form).

As to claims 10 Gegner discloses receiving an update to the first plurality of data objects; and modifying the subset in the peek view based on the update(pg 3, line 7-11; the displayed data objects reflects the updates on the display screen in the field of patient monitoring).

As to claim 12, Gegner discloses selecting the subset based on a plurality of importance tags associated with the respective first plurality of respective data objects, wherein the respective importance tags specify a ranking of the first plurality of respective data objects (pg3, line 18-22).

Claims 13, 18 are same in scope to claims 3 and 6, and are therefore rejected under same rationale.

As to claims 14 and 15 Gegner discloses receiving an update to the plurality of data objects; and modifying the first subset in the peek view based on the update (pg 3, line 7-11; the displayed data objects reflects the updates on the display screen in the field of patient monitoring).

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As to claim 17, Gegner discloses selecting the subset based on a plurality of importance tags associated with the respective plurality of respective data objects, wherein the respective importance tags specify a ranking of the plurality of respective data objects (pg3, line 18-22).

As to claim 20, Gegner discloses sorting data in the subset in the peek view based on a sort rule associated with the data (pg3, line 18-21; the ordering of the hierarchically combined objects represents a form of sorting rule).

(10) Response to Argument

Appellant argues that Gegner does not disclose replacing the first plurality of data objects in the main view with a second plurality of data objects, wherein the second plurality of data objects are different from the first plurality of data objects.

In response to appellant's argument, Gegner discloses of displaying an enlarged form/main view reflecting a first plurality of data objects, wherein the main view displays contents reflecting a second plurality of data objects when a user makes a selection of the second plurality of data objects (pg.4, lines 15-22).

Appellant argues that Gegner does not disclose selecting a subset of a first plurality of data objects based on a respective importance of each of the first plurality of respective data objects.

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In response to appellant's argument, Gegner discloses of automatically suppressing/ eliminating/ removing objects based on a hierarchical structure of importance for each of the objects (pg.3, lines 12-17; lines 18-19). In another word, a subset of a data objects is selected by removing objects that are on the lower hierarchical structure.

Appellant argues that Gegner does not disclose copying the subset to a peek view.

In response to appellant's argument, Gegner discloses of adding/importing/copying and suppressing/removing/eliminating objects based on an importance hierarchical level and the size of the display area (pg.3, lines 12-30; pg.8, lines 11-13). Wherein, a first subset of the data objects is copied to a first small display area/ peek view when a second object is being selected (pg.4, lines 15-21).

Appellant argues that Gegner does not disclose selecting the subset based on a size of the peek view.

In response to appellant's argument, Gegner discloses of forming an object group, wherein a first subset the group are automatically eliminated and a second subset of the group are displayed based on the availability of the display area and the importance of the objects in the subset (pg.3, lines 25-29).

(11) Related Proceeding(s) Appendix

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No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the Above reasons, It is believed that the rejections should be sustained.

Respectfully submitted,

/Haoshian Shih/

Examiner, Art Unit 2173

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